

TESTIMONY ON HB 363 – Rep. John Ward
House Education
January 29, 2007

Chairman Jore and members of the committee:

For the record, I am Pete Carparelli, Executive Director of the Montana Quality Education Coalition.

I appear as a proponent of HB 363 sponsored by Representative Ward.

As you know, Montana Quality Education Coalition seeks adequate stable on-going funding for public K – 12 schools as defined in 20-9-309 MCA passed by the MT Legislature in 2005 and as assured by the Montana Constitution. In previous testimony I have shared with you the goals of MQEC and its approach to proposed legislation related to the funding of Montana's public elementary and secondary schools. Although I will not repeat that message again today, I will submit it as part of my written testimony.

MQEC will evaluate legislation proposed during the 2007 Legislature, and will support such legislation that adequately addresses one or more of the requirements of 20-9-309 MCA and meets the state's constitutional obligation to adequately fund our public K-12 school system. It has also provided information in the form of the report, Estimating the Cost of an Adequate Education in Montana, to assist the Legislative and Executive branches in its considerations of proposed legislation dealing with Montana's public elementary and secondary schools.

MQEC honors the Court's recognition of the legislature's right to phase in any remedy over time, and MQEC will support legislation as part of a phase-in remedy that explicitly prescribes a cost-based approach and leads to a defined funding goal over a specified period of time.

MQEC will oppose legislation that is not consistent with 20-9-309 MCA and the Court's decision.

Today, MQEC supports passage of HB 363 that is before you today because it believes that this bill will be one very practical step forward to the goal adequate funding. On that alone, HB 363 is good policy. The fact that Representative Ward's bill builds on previous work by Rep. Villa and appears to have input from the Office of Public Instruction and the Governor's Office, makes it a wonderful example of bi-partisan efforts to address a real need for many of the State's school districts. That fact makes it even better public policy.

HB 363 simplifies a veritable maze of rules that address an entire series of "If...then..." budget scenarios. Simpler laws that meet a need are eminently preferable over laws that are unnecessarily complex.

Finally, changing the method of adopting a maximum general fund budget recognizes and directly addresses the need for many districts to adjust their previous budget limits in order to access funding you provide to them. This method allows school districts to continue to provide valuable services to children while improving their services with the funds you have appropriated for such improvement.

The language proposed by HB 363 provides an opportunity, with local voter involvement, to access the funding that you have meant to reach the kids.

Chairman Jore and members of the committee, Although MQEC continues to advocate for adequate entitlements and raising the base budget for all school districts, I suggest to you that HB 363 is good public policy as it promotes the Legislature's intent to support quality public K-12 education, while it assists locally elected decisions makers in their obligation to do the same, and is one way forward to adequate funding statewide.

Thank you for the opportunity to address you this afternoon. Thank you, Rep. Ward and all the others who have worked together to bring HB 363 to the Legislature.

2007 Legislative Agenda

Quality Schools for Every Montana Child



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The Montana Quality Education Coalition will play an assertive role during the 2007 Legislative Session. MQEC will be consistent with the positions it took during the 2005 regular and special legislative sessions, and will be consistent with the requirements set by the 2005 Legislature in Senate Bill 152, now 20-9-309 MCA.

MQEC will evaluate legislation proposed during the 2007 Legislature, and will support such legislation that adequately addresses the requirements of 20-9-309 MCA and meets the state's constitutional obligation to adequately fund our public K-12 school system. MQEC will oppose legislation that is not consistent with 20-9-309 MCA and the Court's decision.

MQEC offers its 2007 Legislative Agenda, not as a complete list of legislative elements that will assure adequate funding, but as a guideline by which to measure progress toward a system of adequate funding. MQEC will consider evidence of progress toward adequacy as legislation that:

1. **provides funding that is cost-based and is adequate to satisfy the definition of quality public elementary and secondary schools provided in 20-9-309 MCA.**
 - MQEC has provided an updated adequacy study to the State's Legislators and other policy-makers in order to assist with the process of writing and enacting cost-based funding legislation.
 - MQEC asks the Legislature to honor its own codification of education laws (especially 20-9-309 MCA), and apply the cost-based information provided in the adequacy study to the laws it has already enacted.
2. **enhances funding through a predictable, phased and stable process that meets the State's statutory and constitutional obligations, and that assures adequate future funding for the education of the children of the State of Montana.**
 - MQEC honors the Court's recognition of the state's right to phase in any remedy over time. MQEC will support a phase-in remedy that explicitly prescribes a cost-based approach and leads to a defined funding goal over a specified period of time.
 - MQEC believes that suitable annual inflation factors for all elements of the funding system should be included as an essential first step of any phased remedy.
3. **moves forward with plans for addressing the costs of school facilities.**
 - MQEC requests that the legislature extend the one-time facility funding appropriations made during the 2005 special session until the State completes its facilities study and devises a system for statewide capital needs.
 - MQEC believes that the State should provide a suitable inflation adjustment to this amount for FY 2009 and for subsequent years until the statewide system is implemented.